

THE FLORIDA SENATE
2011 SUMMARY OF LEGISLATION PASSED
Committee on Community Affairs

HB 407 — Residential Building Permits

by Community and Military Affairs Subcommittee; and Rep. Perry and others (CS/SB 580 by Community Affairs Committee and Senator Oelrich)

This bill prohibits a local enforcement agency, and any local building code administrator, inspector, or other official or entity from requiring the inspection of any portion of a building, structure, or real property that is not directly related to the activity for which a permit is sought as a condition for issuance of a one- or two-family residential building permit.

The provisions of this bill do not apply to a building permit that is sought for: substantial improvements, a change in occupancy, conversions from residential with nonresidential or mixed use, and historic buildings.

The bill does not prohibit a local enforcement agency, or any local building code administrator, inspector, or other official or entity from:

- Citing a violation that was inadvertently observed in plain view during the course of an inspection conducted in accordance to this act;
- Inspecting a physically nonadjacent portion of the building, structure, or real property that is directly impacted by the activity for which the permit is sought;
- Inspecting any portion of the building, structure, or real property in which the owner or person having control has voluntarily consented to such inspection;
- Inspecting any portion of the building, structure, or real property pursuant to an inspection warrant issued in accordance to ss. 933.20-933.30, F.S.

The provisions of this bill shall expire upon being adopted into the Florida Building Code.

If approved by the Governor, these provisions take effect July 1, 2012.

Vote: Senate 38-0; House 114-2